

AMENDED IN SENATE AUGUST 14, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2662**

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**Introduced by Assembly Member Gatto**

February 21, 2014

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An act to add ~~Section 10156 to the Public Utilities Code, relating to the Silver Lake Reservoir. Chapter 4 (commencing with Section 34020) to Division 11 of Title 4 of Part 6 of the Penal Code, relating to firearms.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2662, as amended, Gatto. ~~Silver Lake Reservoir: drainage: civil penalty. Firearms: buy-back programs.~~

*Existing law generally requires a law enforcement officer to issue a receipt when the officer takes a firearm into custody. Existing law requires that a firearms transaction be conducted through a licensed firearms dealer if neither party to the transaction holds a dealer's license. Existing law exempts several firearms transfers from the requirement to conduct the transaction through a dealer, including the transfer of a firearm to an authorized representative of a government entity as part of an authorized, voluntary program in which the government entity is buying or receiving weapons from private individuals.*

*This bill would require a city, county, city and county, or state government entity operating a voluntary firearm buy-back program, as defined, to process functioning handguns received pursuant to the program by either performing ballistics testing, a firearms trace, or by cataloging and storing the handgun, as specified. The bill would except antique firearms, as defined, from these provisions.*

~~Under existing law, a municipality or municipal corporation may operate as a public utility to supply its own water service.~~

~~This bill would require, if the Los Angeles Department of Water and Power drains the Silver Lake Reservoir and the reservoir is not filled with water to at least 80% of its water capacity within 18 months of being drained, the Los Angeles Department of Water and Power to pay a civil penalty in the amount of \$100,000 per week for each week that the Silver Lake Reservoir is not filled with water to at least 80% of its water capacity to the City of Los Angeles to mitigate the effects of the drainage of the Silver Lake Reservoir on the Silver Lake neighborhood.~~

~~This bill would make legislative findings and declarations as to the necessity of a special statute for the Silver Lake Reservoir.~~

~~Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.~~

*The people of the State of California do enact as follows:*

1     SECTION 1. Chapter 4 (commencing with Section 34020) is  
2     added to Division 11 of Title 4 of Part 6 of the Penal Code, to  
3     read:

4  
5             CHAPTER 4. VOLUNTARY FIREARMS BUY-BACK PROGRAM  
6                             BALLISTICS TESTING  
7

8     34020. (a) A city, city and county, county, or state  
9     government-operated voluntary firearm buy-back program shall  
10    process each functioning handgun it receives by one of the  
11    following methods:

12    (1) Perform a ballistics test and submit the results to the  
13    National Integrated Ballistics Information Network.

14    (2) Perform a ballistics test and retain the results.

15    (3) Perform a firearms trace through the Bureau of Alcohol,  
16    Tobacco, Firearms and Explosives National Tracing Center.

17    (4) Catalog and store the firearm.

18    (b) For purposes of this chapter, a “voluntary firearm buy-back  
19    program” means a program or event in which an authorized  
20    representative of a city, city and county, county, or the state buys  
21    or receives firearms from the public for purposes of reducing the  
22    number of firearms in the community.

1     (c) *This chapter shall not apply to an antique firearm as*  
2     *described in subdivision (c) of Section 16170.*

3     ~~SECTION 1. Section 10156 is added to the Public Utilities~~  
4     ~~Code, to read:~~

5     ~~10156. (a) If the Los Angeles Department of Water and Power~~  
6     ~~drains the Silver Lake Reservoir, the reservoir shall be filled with~~  
7     ~~water to at least 80 percent of its water capacity within 18 months~~  
8     ~~of being drained.~~

9     ~~(b) If the reservoir is not filled as required pursuant to~~  
10    ~~subdivision (a), the Los Angeles Department of Water and Power~~  
11    ~~shall pay a civil penalty in the amount of one hundred thousand~~  
12    ~~dollars (\$100,000) per week, for each week that the reservoir is~~  
13    ~~not filled with water to at least 80 percent of its water capacity, to~~  
14    ~~the City of Los Angeles to mitigate the effects of the drainage of~~  
15    ~~the Silver Lake Reservoir on the Silver Lake neighborhood.~~

16    ~~(c) Funds paid pursuant to subdivision (b) shall not be payable~~  
17    ~~from rate-payer funds.~~

18    ~~SEC. 2. The Legislature finds and declares that a special law~~  
19    ~~is necessary and that a general law cannot be made applicable~~  
20    ~~within the meaning of Section 16 of Article IV of the California~~  
21    ~~Constitution because of the unique circumstances surrounding the~~  
22    ~~Silver Lake Reservoir and the effects drainage of the reservoir~~  
23    ~~would have on the surrounding community.~~